Confession

WM. M. OVERTON, CH. MAURICE SMITH, AND BEVERLEY TUCKER.

CITY OF WASHINGTON. JANUARY 24, 1854

MR. GEORGE E. FRENCH, Bookseller, King street, Alexandria, is our authorized agent to re-ceive advertisements and subscriptions. Single numbers can be procured at his counter every

MR. E. K. Lundy, bookseller, Bridge street, Georgetown, will act as agent for the Sentinel in receiving subscriptions and advertisements. GEORGE W. MEARSON IS our authorized agent to receive subscriptions and advertisements on Washington, Georgetown and Alexandria.

Communications must always be companied by the names of the authors. We cannot hold ourselves responsible for the return of such as we decline to publish.

We are requested to say that, in conse quence of severe illness in the family of the Hon. Linn Boyd, the Speaker of the House of Representatives, the reception of himself and lady, announced for this evening, is necessarily postponed.

CONGRESS.

In the Senate, yesterday, a resolution offered by Mr. Cass, calling for all correspondence touching overtures by the Papal States for diplomatic relations with the United States. led to considerable debate, in which the recent outrages and violent demonstrations towards the papal nuncio, M. Bedini, were severely commented upon. The resolution was adopted.

In the House of Representatives, Mr. Ben son offered a resolution, which was adopted. instructing the Committee on Agriculture to inquire into the expediency of establishing an agricultural bureau in connexion with the Department of the Interior.

The House, in Committee of the Whole on the state of the Union, discussed the Erie railroad difficulties.

THE VERMONT SENATORIAL QUES-

Pressing engagements have not permitted us to scrutinize the course of the debate in the Senate touching the right of Senator Phelps to the seat he occupies. Indeed, we have not been able to give the question involved an attentive consideration, by examining the precedents which former legislation furnishes. Under these circumstances, we lay before our readers, with much pleasure, an article on the Vermont case, from the pen of a gentleman of great political experience, who has rendered valuable services to his country and to true democratic principles. It will be found in another column, over the signature of "Virginius."

THE NEBRASKA QUESTION.

In the Senate, yesterday, Judge Douglas reported from the Committee on Territories a new bill for the organization of the territory now included within the limits of Nebraska, which is a substitute for that which was brought forward some weeks since as an amendment to the bill introduced by Mr. Dodge, of Iowa. The substitute reported yesterday was ordered to be printed, and its leading features are:

1. The organization of two territories within the present limits of Nebraska, the one to be called Kanzas and the other Nebraska. 2. A definite, distinct, and positive repeal of

the anti-slavery restriction of the Missouri compromise.

That portion of the new bill which relates to the Missouri compromise is in the following words: "The Constitution and laws of the United States, which are not locally inapplicable, shall have the same force and effect in the said territory of Nebraska as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which was superseded by the principles of legislation of 1850, commonly called the compromise measures, and is hereby declared inoperative."

The same provision is applied to the proposed territory of Kanzas. It is hardly necessary for us to say that we heartily approve of this method of disposing of the slavery agitation, by removing all obstructions to the full and entire operation of the principles sanctioned by the democracy at Baltimore. From the beginning of the Nebraska discussion, we have contended that no room should be left for doubt and future difficulty and strife; and that the eighth section of the Missouri compromise should be definitely and distinctly disposed of, because it was in derogation of those principles which the good faith of the democracy is pledged to uphold and maintain, as a full, complete, and final settlement of the slavery question, which has caused so many discords and so much bitter and unfriendly feeling in the confederacy.

We are not advised of the purposes and in tentions of the administration; but we have reason to believe that the President has determined to sustain, with whatever influence he can legitimately exercise to that end, the nositive repeal of the Missouri compromise, for the reasons we have hitherto insisted on. If this be so, the Washington Union, misled by its softshell and Van-Buren allies, has repeated the blunder which it made touching the Pacific railroad. And in this connexion we would remark that, because of an error in our article of Snnday, which was not detected in time for correction, we did not state exactly and definitely the relative positions which Mr. Sumuer, of Massachusetts, and the Washington Union occupied at that particular time on the Nebraska question. It was our intention to have said that practically they occupied the same ground. Mr. Sumner desired to reaffirm the Missouri compromise, whilst the Washington Union opposed any attempt to repeal the restrictive clause of the Missouri compromise, but was willing to give the future State to be erected the power to settle the question of slavery by her constitution, when it should apply for admission into the Union. Practically this would exclude the slaveholder as effectually as the Missouri compromise from Nebraska in all time to come, inasmuch as signed. the prohibition of slavery in a territory is as perfect and absolute an assurance as can be given that the prohibition will be perpetuated

when a State government is formed. But strange to say-no, it is not strange to

Washington Sentine. say-the Washington Union has again faced to the right-about. Although it had opposed, as late as Friday, any attempt to repeal the Missouri restriction, it is now willing to remove all doubt by definite and distinct legislation. We are glad of it, if the fresh conviction be true and permanent; for it is never too late for honest contrition and sin ere repentance. The Territorial Committee of the Senate has presented a clear proposition. and we trust that the Washington Union will now join with us in reparing the injury which its erring course has already effected, because it spoke in official accents and led many weak vessels astray. In an article written by us some months ago, we remarked that the de fence which an organ could give an adminis tration was really valueless, whilst its frequent blunders must tell with crushing force. It may be, therefore, that the Washington Union can not repair the damage done by its adherence to the Missouri compromise; but if it labors with zeal and energy to accomplish that end, we will do what we can to help it. At all events, we trust that it will remember the Pacific railroad and the territory of Nebraska when it again undertakes to lead public senti-

But perhaps some incredulous persons may not believe that the Washington Union has turned, in the twinkling of an eye, in the manner and form we have stated. For the benefit of such, if any such there be, we quote the following extract from the Washington Union of Sunday, which is the last number of that ournal that has been issued up to the time of this present writing:

"The bill reported by Mr. Douglas challenges the support of every true democrat upon the ground that it re-enacts and re-affirms the principles of the compromise of 1850. It as sumes that that compromise was designed to be final and permanent in its operation. It as-sumes, what cannot be controverted, that the great principles of the compromise of 1850, so far as the question of slavery in new territo-ries is involved, was the recognition of the doctrine of congressional non-intervention. This principle necessarily leaves the question o the decision of those inhabiting the terri tory, and it as necessarily secures to all citi zens the right to emigrate to such territory and to enjoy their rights, whether of per son or property, unembarrassed by con-gressional restrictions or prohibitions. This being the effective and vital principle of the compromise of 1850, it must be apparent hat its introduction into the Nebraska bill is no more than giving permanency and perpet-uation to that compromise. We understand this principle to be incorporated into Mr. Douglas's bill, and because we have so understoo it we have given to it a ready and cordial sup ort. But if there can be a doubt raised this point, it is due to the momentous character of the question that such doubt shall be rewith the compromise of 1850, and it is on the ground that the principles of that compromise ought to be perpetuated that no room for misconstruction should be left. By the compromise of 1850, the Territories of Utah and New Mexico were free and open to emigration, and the rights of person and property were subject only to the restrictions and limitations imposed by the Constitution of the United States and he acts giving governments to these territo ries. The same provision is made in Mr. Douglas's bill for Nebraska; or if it is doubt-Douglas's bill for Nebraska; or if it is doubtful whether such provision is made, we are sure every democrat will readily see that a faithful adherence to the compromise of 1850 requires that it should be made. The great matter is to stand firmly united upon the principles of the compromise. By this course alone can we avoid the agitation which our enemies are so willing to foment. On this ground, we believe their hopes of sowing discord and dis-sension again in our ranks will be signally dis-

DEATH OF THE RUSSIAN MINISTER.

appointed.

M. de Bodisco, the minister of Russia to this overnment, died yesterday, at his residence in Seorgetown. He had resided in this District or many years. He was well known and highly esteemed by our citizens. The New York Tribune says:

"He must be about seventy years of age was a Wallachian noble by birth, and first en-tered the public service in Russia about fifty years ago, without fortune, endowed with some knowledge of the French language, and a plain hand-writing. He began in the bureau of the minister of foreign affairs at St. Peters burgh, in the lowest or 12th class of the tschir or official hierarchy, which embraces all branch es of the public service, and attained the third class as a privy councillor, or, in military valuation, as a lieutenant general.

"During his long diplomatic career, he neve affixed his name to any act or treaty conclude by him, nor was he ever employed by the gov ernment on any occasion of special importance. He owed his good fortune principally to having been attached in the quality of secretary to Count Sechtelen, who, after the secret interview at Abo, in 1812, between the Emperor Alexander and Bernadotte, the elected h reditary Prince of Sweden, resided in the qua ity of an imperial commissioner at the head-quarters of the prince during the campaign of 1812.'13. With Count Setchtelen, Mr. Bodisco went to Paris, and thence to Vienna, during the famous congress which settled the affairs of the continent. The count was appointed the Russian envoy at the court of Stockholm and Mr. Bodisco first secretary of legation Count Sechtelen enjoyed a great favor with the Emperors Alexander and Nieholas, and on his death-bed some 18 years ago recommended his secretary to the sovereign.

"After the decease of his generous bene-factor, Mr. Bodisco was for some time charge d'affaires at Stockholm, whence he was sent in ne capacity of minister to Washington. A ew years after his arrival here, he married Mis Williams, of Georgetown, a young American lady of remarkable beauty. By her he has seven small children, besides three grown-up ephews, and a niece of whom he always too

" Mr. Bodisco is distinguished by remarkable financial abilities. Through the liberality of his former patron, and the Russian governnent, he accumulated a considerable capital during his long service in Europe, which, joined to an intelligent economy of his large salary here, (more than twenty thousand dollars yearly,) enabled him, in this country, to carry on speculations on a large scale in lands and stocks, and especially in the loans for the Mexican war. His property must exceed half a million

CONFIRMATIONS BY THE SENATE. The following nominations by the President of the United States were recently confirmed

by the Senate : B. B. French, of Washington, Commission of Public Buildings, vice William Easby, re-

Robert H. Clements, Benjamin K. Morsell David Saunders, Nicholas Van Zandt, Rober White, and Benjamin B. French, to be justice of the peace for the county of Washington and the District of Columbia.

"At a large meeting, (says the Kentuckian, published at Covington,) recently held in Frankfort, of the democratic members of the Kentucky legislature, and other prominent democrats from various portions of the State, a resolution offered by Colonel H. C. Harris, of this city, endorsing Mr. Guthrie as an able cham-pion of the democratic party, and approving his course as Secretary of the Treasury, was unani-mously adopted. Our friends abroad will see by this that the lion-hearted democracy of 'old Kentucky' clings to the secretary as the 'no blest Roman of them all.'"

The foreging paragraph is from the Wash ngton Union of Sunday morning. We are permitted to give the subjoined letter from a dis tinguished democratic member of the senate of Kentucky, which will show how far the demo ratic caucus were disposed to endorse Mr. Guthrie as the "noblest Roman of them all." The sound democracy of Kentucky have no nore sympathy with Mr. Guthrie's interference in New York politics than they had with him when he permitted himself to be led by the whigs of Kentucky, in their wild and reckless system of slack-water improvement, which enailed upon the State its present enormous debt, and which the "lion-hearted" democracy of that State have always in solid column opposed and condemned

"FRANKFORT, January 10, 1854. "DEAR SIR: In a caucus held last night by the democrats, Governor Powell was renom nated as the democratic candidate for senator No other name was put in nomination. I an sorry to say there was a want of harmony in the meeting—not in reference to the nomina-tion or anything connected with it, but in regard to some resolutions offered by Genera Pilcher, endorsing the administration and Mr Guthrie in particular. There was a good deal of useless discussion, which tended to inflame the minds of some present, and which resulted in Pilcher's withdrawing all of his resolutions. H. C. Harris then offered a resolution approvng the report of the Secretary of the Treasury, which was adopted, and the meeting adjourned. "Previous to Pilcher's resolution being of

fered, Gholson offered a resolution endorsing President Pierce's inaugural and message President Fierce's inaugural and message, which was adopted unanimously. I was extremely sorry to see Pilcher's resolutions brought in. He was certainly laboring under a mistaken notion regarding the sentiments of

a mistaken notion regarding the sentiments of the people touching the Bronson affair.

"As a democrat of the highest stamp, Mr. Guthrie is entitled to the highest gratitude of his party for his devotion to its principles; but there is no good reason why the democrats should not condemn him and all others for heir officious intermeddling with matters not belonging to them. It was an unfortunate mis-take of Guthrie and the President, and the less hat is said about it, the better it will be for he party. If, however, those who are willing become the ready slaves of Guthrie, will per sist in bolstering him for his conduct in the New York affair, the consequences be upon their own heads. Yours, &c."

NEWS FROM EUROPE.

Our readers will find, under our telegraphic ead, a synopsis of the interesting news brought by the British steamer Niagara from Liver ool, which arrived at Halifax yesterday. Much space is given to the efforts which

England, France, Austria, and Prussia have nade, and are still making, to put an end to the war between Russia and Turkey. But looking to the real origin of that war. and considering the consistent pertinacity of the Russian government and the character of the Russian emperor, we have no idea that any permanent adjustment can be accomplished. hollow and temporary truce is all that can be effected, for the heart of the Czar Nicholas is. in our judgment, determined to turn the Black sea on the south, and open a way to the east and to the Mediterranean. We have always regarded the casus belli in this light; and we infer that the people of England regard it in the same light, from the indications which have been given of public sentiment, and from the rise in breadstuffs which the Niagara re

The English and French fleets have at length been ordered to the Black sea to check the operations of the Russian navy. This fact is mportant as well as significant. Year after year the Russians have been struggling to turn the Black sea on the north, but the strong defences of the Caucassian mountains, and the resolute courage of their inhabitants, have thus far blocked up that road to the east. By a sudden movement a Russian force might be sent across the Black sea into Asia; but Engand and France can send squadrons through the Dardanelles, which could cut off and starve out a Russian force in Asia, which depended on the navigation of the Black sea for supplies and reinforcemeuts. Russia wishes to avoid such a hazard, and she wishes to obtain command of the Mediterranean. To accomplish these things, she must take Constantinople; and if it be true that Prussia and Austria have united with England and France in good faith, and with a determined purpose to preserve the integrity of the Ottoman empire, the czar may possibly see that he must wait a while before e can accomplish his long cherished purpose. But that is all he will do, if we understand the natter correctly.

NATIONAL THEATRE.

The performance of the "Willow Copse" the National theatre on Saturday night was witessed by a large assemblage. The "Willow Copse" is a domestic drama of much merit. It bounds in fine passages and the most exciting cenes. It was admirably performed, and the nost rapturous applauses bore testimony to the atisfaction of the audience. Mr. McDonough, Mr. Hale, and Mrs. Duffield sustained the principal characters, and added much to their dready high fame. They were called out by the house at the close of the performance, and nade graceful and appropriate acknowledg-

The National presents unusual attractions his week. The celebrated Irish comedian and ocalist, Mr. Collins, commenced an engagenent last night, which we hope will continue ome time. Those who love mirth and music should not let slip the opportunity now offered to them of hearty enjoyment.

Supreme Court of the United States. MONDAY, January 23, 1854.

James H. Thompson and Rufus P. Spalding esqs., of Ohio; William Henry Norris, esq., of Maryland, and Isaac N. Arnold, esq., of Illinois, were admitted attorneys and counsellors of this court.

No. 48. John McDonogh's executors et ppellants, vs. Mary, Murdoch and others. The rgument of this cause was commenced by Messrs. Brent and May, for the appellants. Adjourned till to morrow at 11 o'clock.

The Norfolk and Portsmouth Herald have some effect in restraining the turbulent. If

we award full praise to President "While we award full praise to President Pierce for his proclamation against the land pirates of the Pacific, who in open day are violating our laws and treaties by attempts to rob a friendly neighbor of his territory, it brings up a bitter recollection, that, for the same prompt and paiseworthy act of President Fillmore in regard to the Cuba filibusters, he was not been assessed by the same presses which ruthlessly assailed by the same presses which aided to elect Mr. Pierce, and which will doubtless, as one of them (the Washington Union) has already done, extol him for so nobly sustaining the laws and the obligations of treaties.

The policy of President Fillmore's administration was strictly national, and aimed at a rigid enforcement of the Constitution and laws, with-out fear, favor, or affection. If President Pierce's administration is faithful to these high trusts, it must, in its own despite, sustain and exalt the character of his 'illustrious predecessor.'"

We take leave to say that there is a marked and manifest difference between the two proclamations referred to by the Herald, and to the circumstances under which they were issued. We stated those differences in an article that we published several days ago. Almost the only points of coincidence between them are, that they were both proclamations, and against filibusters. There was a revolt, or it was so believed, in the case of Cuba. Natives of Cuba were engaged with Lopez, who commanded the expedition, and who was himself a Spanish subject. The discontent in the island was widespread disaffection general. But in the case that has recently occurred, and which drew out President Pierce's proclamation there was no revolt of Mexican citizens against Mexican rule. There was no discontent among them. They did not incite, encourage, or expect any such expedition. It took them by surprise. They opposed it; they happily crushe

it. It was nothing but a hand of lawless ma rauders who went for the purposes of conquest and plunder.

Congressional.

THIRTY-THIRD CONGRESS. FIRST SESSION

Senate-Monday, January 23, 1854. Hon. Robert M. Toomes, of Georgia, appear On motion by Mr. PETTIT. the Committee

NEBRASKA.

Mr. DOUGLAS, from the Committee on Terri Mr. DOUGLAS, from the Committee on Territories, reported a bill to establish the territorial governments of Nebraska and Kanzas. He said that the bill formerly reported by the committee to establish a territorial government of Nebraska fixed its southern boundary at the line of 36° 30°. The attention of the committee had been called to the fact that that line would divide the territory set apart for the Cherokee nation. The committee therefore proposed to substitute the line of 37° north latitude. The people of that territory had two delegates here, who urged that the territory should be divided into two territories, and so far as he had consulted with the delegation of Missouri and lowa, the committee had come to the conglusion that the interests of the people there souri and lows, the committee had come to the conglusion that the interests of the people there souri and lowa, the committee had come to the conglusion that the interests of the people there would be better served by having two territories and had so reported. He moved that it be printed which motion was agreed to.

SENATE CONTINGENT FUND.

Mr. HUNTER, from the Committee on Finance, to which had been referred the bill regulating the manner of disbursing the contingent fund of the Senate and the amendments made thereto by the House of Representatives, reported the same back, with a recommendation that the House amendments be rejected, except the last, which they recommended should be adopted with an amendment providing that the Secretary of the Senate shall deposit all money drawn from the treasury by him in such public depository in this city as might be designated by the Secretary of the Treasury, and that all payments by him shall be made by warrants drawn on such depository. be made by warrants drawn on such depo

WIDOW OF CAPTAIN GUNNISON. Mr. JONES, of Iowa, reported a bill granting pension of five years' half-pay to the widow of Captain Gunnison, who was lately killed by the Indians in Utah; which was read, and passed.

WILITARY ACADEMY APPROPRIATION BILL. Mr. HUNTER, from the Committee on Finance reported back the bill making appropriations for the support of the military academy, with amendments, appropriating \$5,000 for the repairs of the professor's quarters; and \$20,000 for a cavalry expensive the support of the professor's quarters. rcise hall; which amendments were agreed to Mr. SHIELDS moved further to amend the h by increasing the compensation of the professors of French, drawing, and sword exercise; which was also agreed to, and the bill was passed.

THE GERMANIC CONFEDERACY. On motion by Mr. MASON:

Resolved, That the President be requested to commun cate to the Senate, as far as may be compatible with th public interest, copies of all the despatches written by A budley Mann, whilst he was employed in the diplomati service of the United States at or near the States of th Germanic Confederation, Hungary, and Switzerland, to gether with copies of all the instructions under which hacted, and other communications made to him by the De-partment of State.

MONSIGNOR BEDINI. Mr. CASS submitted the following resolution :

Resolved. That the President of the United States be requested to communicate to the Senate, as far as he madeem it compatible with the public interest, a copy of an correspondence which may have taken place with the government of the Papal States, touching a mission to the United States.

Mr. CASS said that it was known that for som time past a gentleman had been in the United States, charged with some kind of special mission to this government. He had seen in the public States, charged with some kind of special mission to this government. He had seen in the public journals accounts of violence and hostile outrages against this person, which he felt sure no American could hear of without regret. As a private individual, this foreigner was entitled to that protection, under the law, which all good citizens would endeavor to secure him and if he be charged with any diplomatic character, then in a greater degree should this nation protect him. He desired to know if it were true that he had been charged with any mission to this government, because, if he were, it would be becoming in this government to see if any further legislation be needed for the protection of such functionaries. He had made inquiries as to the character of this gentleman, and had received assurances of the high regard and esteem entertained for him at home. Before he was sent here, the Papal government inquired of the American representative at Rome as to whether this mission would be favorable received by the people and government of the United States; and that representative had replied that it would.

would.

Mr. C. alluded to the accusations made agains Mr. C. alluded to the accusations made against the papal representative of having been the instigator of the execution, as it was called, but more properly murder, of Bassi, at Bologna; and said that his information was such as to induce him to belive that the gentleman he alluded to had no more to do with that affair than he (Mr. C.) had. That proceeding was the work of the Austrian military authority. These violent and hostile demonstrations against this person were calculated to prevent the apread of republican institutions; they would be heralded from England to Siberia as evidence of the inefficiency of popular governments to restrain tumultuous proceedings and preserve law and order. He then referred particularly to the violence manifested at New York, Baltimore, and in Cincinnati; and condensed it in strong terms.

Mr. MASON said he had listened with great sai Mr. MASON said he had listened with great satisfaction to the sentiments expressed by the venerable senator from Michigan. If there was one thing in our form of government which the American people should be proud of more than any other, it was that it was a government of law and order, and as such distinguished from all others. It was the duty of every citizen to see that this great principle of his government should not be violated. He regretted deeply that this gentleman, be he whom he may, had met with outrage and violence. If he were here as the representative of his nation, he was entitled to the protection of this nation, he was entitled to the protection of this nation, everywhere. If here as a private citizen, nation, he was entitled to the protection of this mation everywhere. If here as a private citizen, though the protection of the national government might not reach him, yet the expression of opinion here of the representatives of the States might

he were not here as the guest of the nation, he was here as a stranger and a foreigner; and he hoped the people of this nation had not yet reached that position when they should exclaim as of old it was said in Rome: "You are an alien, an enemy." If he was accused of crime, (and he was glad to hear the senator express his disbelief of the fact,) he was still not to be outraged, because for it he was responsible to the laws of his own nation.

mation.

Mr. BUTLER said he had read with surpris-

Mr. BUTLER said he had read with surprise and regret the reports of the outrages upon this gentleman. He was rejoiced, however, to be able to say in the Senate that they were the acts of a few irresponsible persons, whose conduct in no way reflected the sentiments of the American people. Such conduct was at variance with the principles of the religion professed both by Protestants and Catholics. He joined heartily in the expression of sih disgust for the recent exhibitions of hostility to this gentleman in New York, Baltimore, and Cincinnati.

Mr. DAWSON said that in these outrages, American hospitality had been stabbed. He regretted it as deeply as others, but particulary because in those localities where they took placet no effort was made by the authorities to put them down or to bring the offenders to punishment. The cause was, that the Constitution and laws of the United States were no longer enforced, but the turbulent were allowed to trample all law under foot with impunity. He denied that such conduct was the act of Americans. It was the foreign population; and the cause of the lukewarmness displayed by the local anthorities he attributed it to the fact of a desire to conciliate that foreign influence for base political ends. No tributed it to the fact of a desire to conciliate that foreign influence for base political ends. No American of good character had taken any part in these transactions. He said that this gentleman could have traversed his State, and the whole southern States, without having had any violence offered him; or, if offered, it would have been crushed and put down instantly by the people.

Mr. DOUGLAS said, that he regretted that any effort had been made to draw any comparison between the different sections of the country on this subject. Good citizens—the whole American people throughout the whole country alike—would

subject. Good citizens—the whole American people throughout the whole country alike—would condemn these outrages offered to this gentleman. Mr. EVERETT also regretted that anything hay been said of a sectional character on this matter. This gentleman had travelled through his State, and had been most hospitably received there. He (Mr. E.) had made his personal acquaintance there. He expressed his firm belief that the accusations against this gentleman were unfounded. In this country the gentleman had said nothing, and had done no act affording the slightest justification or provocation for the violence offered him.

Mr. ADAMS thought that this was a matter not coming under the jurisdiction of this body. Congress had nothing to do with riots or assaults; they properly belonged to the local authorities of the States. He regretted that any violence had occurred.

occurred.

Mr. CASS said that, if this person was clothed with the diplomatic authority, Congress had jurisdiction over the subject of affording protection to

foreign ministers, &c.
Mr. PETTIT thought the resolution a very Mr. PETTIT thought the resolution a very proper one. If he came here as a diplomatic agent, he was entitled to respect and protection. He deprecated the reference to sectional lines. Some time since, a Spanish representative was treated most outrageously in New Orleans, and some of this violence occurred in Baltimore, both places being in southern States. He thought the local authorities in Cincinnati had shown a desire to protect him because from their very over vigin

protect him, because from their very over vigi-lance they had themselves violated the law. Mr. WELLER followed, contending that Congress had no jurisdiction over this subject. If this person were an accredited foreign ambassador, the President knew it, and had only to instruct his person were an accredited foreign ambassador, the President knew it, and had only to instruct his district attorney to execute the laws. The law of 1790 provided fully for the offence. He attributed these demonstrations to the Italian and German population of the cities, who had fled from tyranny within our country, and who naturally felt excitement when this man, who was accused of being one of the instigators of that cruelty, came among them. While he knew nothing of his guilt or innocence, he could not help saying, that in peaceably assembling to express their opinion of him, if he were guilty of only one-half of what his countrymen accuse him, they were right in so doing. [Applause in the galleries.]

After which, the resolution was agreed to.
Mr. FISH introduced a bill providing rooms for holding the United States courts in the city of New York; which was read a third time and passed.
Mr. BADGER submitted a resolution, providing that hereafter Friday of each week shall be devoted to the consideration of private bills.

After an executive assistion,

The SPEAKER laid before the House several communications from the War Department, rela-tive to certain surveys; which were referred to he Committee on Commerce.

Mr. HUNT offered a resolution directing Prentiss, late of Mississippi, any balance which may be due on account of mileage, under the resolution of February 6, 1838, while he and Mr. Word were contesting the seats of Messrs. CLAI-BORNE and GHOLSON, of that State. [The balance due to the estate is over \$700.]

The question having been taken, the resoluti was adopted.

UTAH.

On motion of Mr. BERNHISEL, it was-Resolved, That the Committee on Territories be instructed of inquire luto the expediency of extending the provisions of the Oregon land law over the Territory of Utah; and hat they report by bill or otherwise.

AGRICULTURAL BUREAU. On motion of Mr. BENSON, it was-Resolved, That the Committee on Agriculture be structed to inquire into the expediency of establishing Agricultural Bureau, to be connected with the Departm of the Interior, and that they report by bill or otherwi

VIRGINIA MILITARY LAND DISTRICT. On motion of Mr. TAYLOR, of Ohio, it was Resolved, That the Committee on Public Lands be in structed to inquire what legislation is necessary in rel-tion to the residue of land lying in the Virginia milita-district in Ohio, and that they report by bill or otherwise Several other resolutions, calling for informa

ERIE RAILROAD DIFFICULTIES.

The House resolved itself into Committee he Whole on the state of the Union-Mr. ORR, the chair-and resumed the consideration of consideration of the resolutions proposing to refer the various branches of the President's annual message to the appropriate standing committee Mr. WADE said that, when the House wer Mr. WADE said that, when the House were last in Committee, there was a contest between the "hards" and the "softs," and this created much excitement, and excluded the discussion of any other subject. He had himself made up his mind as to the merits of the controversy, he hoped conclusively. He was reminded of what lawyers call proceedings at law with a cross bill. In his opinion, both parties had succeeded in showing they are entitled to relief, which, he trusted, they would not receive. It was his intention to go into an examination of that subject, because it was, with him and his constituents a kind of Kilkenny cat affair. He was content the two parties should est each other up.

cat affair. He was content the two parties should eat each other up.

He then proceeded to speak of the Erie railroad controversy, accusing Pennsylvania of bad faith, and with stopping the travel on that route. That State was to blame, and the difficulties had their inception in fraud on the people of the west. There is no justification of her course. He implored the committee to look at this subject in its true light.

Mr. RITCHIE, of Pennsylvania, briefly, set Mr. RITCHIE, of Pennsylvania, briefly set

forth the facts in the case under discussion, in-sisting that the locating of the road at Erie was an invasion, by Ohio, of the territory of Pennsyl-vania, to the ruin of the harbor of Erie. So fer vania, to the ruin of the harbor of Erie. So fer from that State being of the character the gentleman who preceded him had represented, her history, from her foundation to the present time, was marked by kindness, courtesy, and honor.

Mr. DRUM said that the reproach cast on Pennsylvania by the gentleman from Ohio was altogether uncalled for. He thought there could be no occasion for the discussion of the question here, as it was one on which the general government could not act. Because a small portion of the population of Pennsylvania have thought proper to right themselves by force, was not a sufficient warrant for the gentleman to attack the entire population and the public faith of that State.

State.
Mr. CAMPBELL took the ground that the Eric difficulties were not of a local character merely, but affected national interests, as the commerce of

but affected national interests, as the commerce of Ohio, Indiana, Illinois, and other States was obstructed and the transit of the mails prevented. The President of the United States and the federal courts should enforce the laws in the premises.

Mr. WASHBURN, of Illinois, regretted that a State like Peunsylvania, the great Keystone of the national arch, should yield its name to uphold the Eric mob. What he asked can be supposed to the contraction. Erie mob. What, he asked, can she expect if she deals with the west in this way, obstructing the travel and commerce with the several States?

Mr. OLIVER, of Missouri, obtained the floor, when the committee rose, And the House adjourned.

Communicated.

To the Editors of the Washington Sentinel: I see, by the late proceedings of the Senate of the United States, that they have under consideration the case of Mr. Phelps, of Vermont, which presents in some of its features not only a new question under the Constitution, but important considerations connected with the State governments, which demand deliberate action on the rest of the Senate Free Process of the Senate of t on the part of the Senate. Entertaining views of the subject wholly differing from those which have been expressed by Mr. Phelps, and being decidedly of opinion that he has no right to retain his seat in the Senate under the executive appointment, I beg to submit, through your jour-nal, the following views upon the subject. Having no particular fondness for superfluity of speaking or writing, especially for their own sakes, I consult brevity rather than expansion as the best means of getting you to bublish and the public to read this article. The facts of this case are simply these: Mr. Upham, a senator from Vermont, whose term of service would have expired in March, 1855, of his State, the then acting governor appointe Mr. Phelps to fill the vacancy occasioned by Mr. Upham's death, and under this executive appointment Mr. P. took his seat in the Senate; ace which the legislature of Vermont con

vened at their annual session and formally adjourned without making any appointment or filling the vacancy created by Mr. Upham's death. Mr. Phelps now contends that he is entitled to serve out the term for which Mr. Upham was elected, and has accordingly, without any previous action by the Senate, taken his seat. The question presented for the Sen-ate's consideration is, had he the right to do so? The third section of the first article of the Constitution of the United States contains this "The Senate of the United States shall h

composed of two senators from each State, chosen by the legislature thereof for six years; and each senator shall have one vote. And i and each senator shall have one vote. And if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancy."

Now, in support of Mr. Phelps's claim to hold on, he contends that the limitation of the

executive appointment, under the Constitution must be construed as applying alone to the power of appointment by the executive, and not to the tenure of the office; and, in defence of this construction, he argues that if it was otherwise, and the limitation was to the office, that it would necessarily terminate at the moment the legislature assembled; and this cannot be so, because, he says, the Senate of the United States had heretofore solemnly so decided in the case of General Samuel Smith, a senator from the State of Maryland. Now, have no means of ascertaining what the facts or circumstances were which operated upon the Senate to make any such decision; but I feel Senate to make any such decision; but I feel justified in saying that under no state of things that I can imagine was such a decision consti-tutional, or ought it to be considered as binding upon any future Senate. Mr. Phelps admits that, as that decision was that the senator had the right of holding on during the session, and his appointment did not end with the meeting of the legislature, it was evidently erroneous, inasmuch as it would conflict with the rights of the legislature at any time during the session to fill the vacancy. This, Mr. Phelps admits, is an interpretation of the Constitution that cannot be sustained. That such could not have been the intention of the senators who decided the case of General Smith, is quite certain. The words of the resolution of the Senate, in that case, were expressly limited to the session, and it was doubtless intended to the session, and it was doubtless, intended to decide nothing more than that the temporary appointment did not cease when the legislature first met, but was to continue until the legislature chose to make a permanent one; and if they failed to do so, then the executive appointments would cease with the session. The case of General Smith, then, can form no precedent in the present case, if it even were admitted to be correct, which is wholly denied. What the facts and circumstances were under which the facts and circumstances were, under which the decision was made, do not appear. Whether the case was examined or discussed, or intended to operate as a precedent for the future action of the Senate does not appear. Might not the esprit de corps, or other considerations not now to be ascertained, have influenced that not now to be ascertained, have influenced that particular case? Upon these points there is no information, and it rests upon a single resolution, affirming the right of a party to hold his seat during the whole session of the legislature who had the right at any moment to fill the vaccount. fill the vacancy. Whatever did operate to produce that decision, however, it cannot and

ought not to form any precedent for the de-cision of the present case. 7 But it is argued that there is in fact no express limitation in the Constitution to the ap-pointment made by the governor in such a case as the present one, and that there was no necessity such limitation; that the appointment carried with it its own limitation; that it was to fill a vacancy, which could endure no longer than the vacancy existed; that the appointment being a temporary one, and subject to the action of a superior authority, it was terminable at any moment when the legislature of the State had the capacity to act, and should in

Now, this is a petitio principii. It begs the whole question, and takes for granted that which is denied. That such was not the view of the framers of the Constitution, nor a just construction of its provision, is manifestly clear. There is a limitation to these executive appointments in express terms. The language of the Constitution is, that the appointmen? shall be temporary, and continue until the meet-ing of the next legislature, which shall then fill the vacancy. Hence, although it was to fill a vacancy, the appointment was not to endure, as Mr. Phelps supposes, until the legislature of the State should not only have the capacity to act, but should act-in other words, until a new appointment was actually made.

Now, if such had been the intention of the

of the Constitution, would they have employed the words used in the Constitution? Who better understood the import of words than Madison and Hamilton, and Morris, the latter of whom gave shape to the Constitution? How much more proper and easy would it have been to have said that these temporary appoint-ments by the executive should continue until the State legislatures should fill the vacancies!
That is Mr. Phelps's doctrine. But such was not the object of the wise men who formed the Constitution. They intended, in case of vacancies in the Senate, (at best a small body,) that each State should be represented temporarily, until the actual assembly of the State legislature in session, which was to fill the vacancy and when the executive appointment ceased nated the temporary appointment, and left the giving to one individual so important an ap pointment as that of senator, ought to be con-strued strictly, and not by enlarging and ex-tending it. All equivalents might be rejected. The Senate, in a case like this, can take no such liberty with constitutional provisions, as the judges often do, as well with o compacts as with acts of the ordinary legislature. Legal subtleties and refinements are to be disregarded. The Constitution, as written must be the guide; and as it expressly declares in so many words, that the appointment shall be temporary, and continue until the meeting of the legislature, it follows inevitably, as a new consequence that when they do actually cessary consequence, that, when they do actually assemble, the temporary appointment ceases and there is a vacancy to fill. This is the manifest meaning and intention of the words of the Constitution, or they mean nothing.
Whether the legislature then acts or not,

wholly immaterial. The provision in the Constitution was doubtless intended to enable them stitution was doubtless intended to enable them to act, and that promptly, but to leave the propriety or necessity of doing so to the discretion and decision of the State itself. If they acted and filled the vacancy, no injury could result from having only one representative; if they did not act, then the State would remain with one senator—which, however, was a matter for the consideration of the State alone. The wise men who formed the Constitution knew full well that the interest of each State to maintain well that the interest of each State to maintain its full representation in such a body as the senate would be an ample security against the abuse of the trust, and therefore safe in the hands of the State governments. The fact, then, of the State's having only one representative in the Senate, cannot be permitted to influence the decision of that body in a case like the preent. And here it may be said that the cotem poraneous history of the Constitution gives force to such a construction of this provision of it as I now maintain. There were few parts, if any, of the proposed plan of government more strongly objected to than that which related to the Senate, its mode of appointment, and tenure of office of its members.

Their appointment even, by the State legis-lature, was strongly opposed, upon the ground that, by forbearing to make appointments of senators, as they might do, they could destroy the national government. This was admitted by its friends to be an evil in the plan; but it was one which could not be avoided without was one which could not be avoided without excluding the State governments from their place in the formation of any national government, and an entire abandonment of the federal principle, and would, moreover, have deprived the State sovereignties of one of the great safeguards intended to be provided in any plan that might be adopted. The bare idea of an appointment of senators by the executive of a State would have been ridiculed and scouted. Indeed, one of the strong objections to the Indeed, one of the strong objections to the Senate's having anything to do with their own Senate's having anything to do with their own appointments was, that it was too independent and aristocratic a body, and needed only one other ingredient—the power of filling up its own vacancy—to make it dangerous to the liberties of the country. Now, the present case, if sanctioned, would be an ingenious mode of attaining (to a limited extent) such a power, by means of construction and implication. I beg, therefore, to repeat that this clause, confirming the temporary appointment of general confirming the sentences. ing the temporary appointment of senator of the United States upon the governor of a State, (which, in passing, I will say, is rarely, if ever, confirmed by the legislature,) ought to be con-strued strictly and rigidly, instead of being en-

larged and extended.
With the motives and causes which influence With the motives and causes which influenced the legislature of Vermont to adjourn without filling the vacancy occasioned by Mr. Upham's death, the Senate can have nothing to do, in deciding upon Mr. Phelps's claim. It is not their province to enter (if they had the means of doing so, which I presume they have not) into the political or party feuds of any State, (always productive of more mischief than good,) but to leave it to the States to settle and adjust their own difficulties amongst themselves. just their own difficulties amongst themselves; and if the result should be to deprive them of a portion of their representation in the Senate, that is a matter with which the Senate of the United States have nothing to do, and cannot be called upon to remedy, especially by per-mitting an individual to continue to represent a State in such a body as the Senate, who was certainly not its choice, and for whom, possibly, not one member of the legislature had voted. Certain it is that Mr. Phelps was not its choice, or he would have been elected; but, rather than elect him or any one else, they preferred that Vermont should go unrepresented. Whether they would have made an appointment if they had supposed that by not doing so Mr. Phelps would have been allowed to take his seat under the executive appointment, might be matter of conjecture; but cannot, and ought not, to enter into the decision of this important constitutional question. Nor do I mean to be understood as expressing any opinion as to the views or intentions of the members of the Vermont legislature in regard to Mr. Phelps. Decency and propriety forbid it. I have no scruples, however, in asserting, as

my opinion, that the only true and safe con-struction of the Constitution is to regard the temporary appointment by the executive as ceasing at the meeting of the legislature actually in session; and, if no appointment be made by them, to leave the consequences be made by them, to leave the consequences with the State, where the Constitution intended it should rest for good or evil. Indeed, the Senate have no discretion in this matter. I enter my protest against the right of the Senate to set aside the plain words of the Constitution, by deciding what was meant and intended by its framers. To do this would destroy not only the compact itself, but would be dangerous to To vest such powers in a judge, has always been regarded with jealousy and trust in all free governments. It was Camden (an ornament not only to his profes sion, but to his country and human nature) who said that discretion in judges was the law of tyrants; that it was always unknown, was casual, and too often depending upon consti-tution, temper, and habit—in the best, caprice; in the worst, every vice, folly, and passion to which human nature was liable. prevent all this was the object of a written Constitution. So much for the argument of

this case.

It may be proper, in conclusion, and just to myself, to say, that of the high character and standing of Mr. Phelps. I beg to be understood as not wishing or intending to express a momentary doubt; on the contrary, I am free to do full justice to the motives that have influenced him in taking the course he has adopted, and believe that he has been governed by what he regards as the constitutional sinks. by what he regards as the constitutional rights of his State, apart from all personal consideraof his State, apart from all personal considera-tions; but yet, regarding it in a light wholly different from that in which he has presented it, and as it may form a precedent hereafter affecting other States of the Union, and be-lieving that there is a contagion in the force of all precedents which few men have sufficient force of mind to receiv the receivable is less than force of mind to resist, especially in large de-liberate and political bodies, and regarding, moreover, all precedents upon constitutional questions as dangerous in a government like ours, I must enter my protest, as an American citizen and an old national State-rights democrat, against the establishment of a precedent which is to be in some sort testimentary, and hereafter to bind the Senate in its course of ac-

There is an eastern tale of a magician who discovered, by his incantations, that the philosopher's stone lay on the bank of a certain river, but was unable to determine its locality more definitely. He therefore proceeded along the bank with a piece of iron, to which he applied accessive all the abable he found. the bank with a piece of iron, to which he applied successively all the pebbles he found. As one after another they produced no change in the metal, he flung them into the stream. At last he hit upon the object of his search, and the iron became gold in his hand. But alast he had become so accustomed to the "touch and go" movement that the real stone was included in the stream of the stream arily thrown into the river after the others, and lost to him forever. I think this story well allegorizes the fate of the coquette. She has tried and discarded so many hearts that at length she throws away the right one from pure force of habit.—Spirit of the Times.

Mons. Jullien.

He mingles with the music-stream In all its varying tides,—
And when subdued, it seems to rest,—
Like zephyrs on the wavelet's breast
He o'er its surface glides;

But when a Nation's voice to speak,
The passion strain it takes,
Like rushing surge by winds opprest,
He rises on its wildest crest, And rules the storm he makes.